

TESTIMONY OF DANIEL E LIVINGSTON, FEBRUARY 20, 2007

Senator Prague, Representative Ryan, and members of the Labor and Public Employees Committee,

Although as you know I wear many hats, I testify today on behalf of the SEIU State Council, in support of ***Proposed Bill No. 602, AN ACT CONCERNING EMPLOYER-SPONSORED MEETINGS***.

I want to begin by saying that this bill is before you as a result of two great recent failures: Most obviously, there is the failure of one of our state's great institutions, Yale-New Haven Hospital, to honor its word and its written contract promising it would treat its employees with the basic dignity and respect due to all Connecticut residents. Second and less obviously, there is the failure of the General Assembly to pass a bill that this Committee has long and proudly championed, An Act Concerning Captive Audiences, which prohibits all employers from forcing employees to listen to the employer's religious or political speeches in the workplace. That bill has been raised in the Judiciary Committee this year, and it is our fond hope that the bill before you ends up being unnecessary, because the broader version is finally passed and becomes law.

You all understand what is at stake here -- despite signing a written contract promising not to, Yale New Haven Hospital used lies, threats, and intimidation to fight a union drive, and has become the poster child for Captive Audience meetings: that is the abuse of the employer power to direct its work force to instead force employees to listen to employer propaganda. This power has nothing to do with getting work done. Instead, it derives from 16th Century English master/servant law, which says that on work time, you belong to your boss. You belong to your boss. When it began in the 16th century, it meant your employer could direct your work, but he could also direct you to do just about anything else he wanted you to do, whether it's listen to false, or even hate-filled political, religious or social propaganda or be subjected to sexual harassment. In the 20th century, we finally outlawed employers compelling workers to be the recipients of their employer's sexual attentions. But still we have left

employers with their power to force workers to be the recipients of employer political, social and religious attentions -- that is, we have left workers without the basic right to say no that we give adult Americans in all other contexts. This power is fundamentally inhumane, undemocratic, and yes un-American, and has been rejected in virtually every other aspect of law. It is long past time Connecticut recognizes that workers are entitled to be treated as free human beings, not servants or slaves, and are entitled to be treated with the same level of dignity and respect that is supposed to be the hallmark of our American democracy.

You may ask, if this is so important, why limit it, at least until the next hospital receives enough in state funds to be covered, just to Yale-New Haven Hospital. There are two answers. The first is, we shouldn't. We hope the broader bill will pass and make this bill irrelevant. But if that bill doesn't pass, at least this bill makes the point that the largest single recipient of state funds should not use those funds to be our state's largest abuser of the rights of workers. The white paper submitted along with this testimony details a long and cynical history of the Hospital's abuse of worker rights, a history that was supposed to end when Yale signed a historic agreement with the New Haven Community, leadership, and thereby gained the right to build its multi-million dollar cancer center. However, as the neutral arbitrator found, instead of honoring its word and its written contract, the Hospital engaged in "serious violations of federal law, the election principles agreement and prior arbitration awards" -- including the conducting of large numbers of mandatory group and one-on-one propaganda meetings. If the General Assembly does not find the courage this year to do the right thing on behalf of all workers, at very least it should not allow tens of millions in state funds to subsidize the wrong thing being done to nearly 2000 workers.